

25-1

מדינת ישראל

משרד הממשלה

Dept. of Lands & Surveys

25/1/32
חוק למי

Basset Sheikh Muhammad

Wadi Hawareth

sub district Tul/Tarem

land plot no. 23
[1938-1942]

25/1/32
חוק למי

מדינת ישראל

ארכיון המדינה



British Mandate Collection - B

שם:

גל - 1 / 16624

381969 מס פריט:

99.0/3 - 427

25/08/2013

02-113-03-05-07

מזהה פיוז:

מזהה לוגי:

כתובת:

מדינת

משרד

British Mandate

25-1

DEPARTMENT OF LANDS & SURVEYS.

Land Plot No 23
1000 Dms.

SEE PLANS JACKET
D/TL/32/PLANS

Basset Sheikh Mohamed.
Wadi el Hawareth
Tulkarm S/D

BRING FORWARD		BRING FORWARD	
FOLIO	DATE	FOLIO	DATE
13	4/5/38		
4	5/38		
4	6/38		
23	6/38		
13	8/38		
3	8/38		
17	8/38		
28	15/11/41		

Closed

Not recorded under 69/5/62 (8), (13), (2) and (4)

CLAIMED AT LAND SETTLEMENT

Clai. Bork F.P.N.

4 8394 1-46, 48-52
6 8395 1-13, 15-37+42
5 8396 1-35, 37-40, 42-44, 46

M.C.A.
8/4/1940

This state Domain consists of the following:

Block No F.P.N. Area Comp.
8394 1 468.076 49/5/62 (8)
5 5.300 49/5/62 (1) 4
8395 1 249.627 59/5/62 (3)
2 189.582 59/5/62 (2)
8396 1 660.842 59/5/62 (1)
15/3487

439.204

15/3487

D/Tul/32.

25rd April, 1942.

District Officer,
Tulkarm.

Subject:- State Domain -
D/Tul/32.

The above mentioned State Domain is now represented by Parcel 1 Block 8394, Parcels 1 and 3 Block 8395 and Parcel 1 Block 8396 Wadi Hawarith, and new State Domain Nos. GP/5/52(3), (5), (2) and (4) have been allotted to these parcels respectively. The History Sheets for these parcels have already been sent to you.

I shall be grateful, therefore, if you will cancel the State Domain file D/Tul/32 and the entry in the old record book quoting this letter as your authority for doing so.

DIRECTOR OF LAND SETTLEMENT.

Copy to: Registrar of Lands, Tulkarm;
who will please cancel the
old History Sheet.

GP/5/52(2), (3), (4) & (5).

LS.

no fee
Pl. cancel
from your
records

24/4/42

28

SETTLEMENT,
/XXXXXXXXXX

D/Tul/32

W 7 1/2

7th May 1940.

Director of Land Registration.

W.C.H.
7/7/40

Subject:- Wadi Hawarith, Tulkarm Sub-District - Mahmud bin Haj 'Abdallah Samara and others.

Reference: Your letter R.523/65-3771 of 19th April 1940.

The lands claimed by the above named are included within defined boundaries and therefore Article 47 of the Land Code is applicable and, although there are extensive areas within the boundaries that are uncultivable in the ordinary course of events, by virtue of numerous judgments, and after consultation with the Crown Counsel, it appears no claim by Government is likely to be admitted. In the circumstances there appears to be no adequate grounds for contesting the correction of area.

2. Tulkarm (Natanya) file No.11/40 is returned herewith together with the plan which I have signed as indicating that the boundaries shown thereon are correct in so far as the Government land known as Basset Sheikh Muhammad are concerned.

W.C.H.

DIRECTOR OF LAND SETTLEMENT.

הנגיד יונג'ן טקב'ל השומת לב.

הנגיד לאשר קי.

2. להבא נא להודיע את המספר הנמצא במנה השמאלית העליונה של טופס זה.

R. F. JARDINE.

1) ~~Wheatstone~~ is included - (S. 97) or 5 - -
The stone below as well as above the cliff - at least

2) as we will stay the stone must be removed
for good.

3) Which then follows - A reason sufficient for the
neglectment of the fort must be provided.

4) ~~The~~ The bounding of ~~Stewart's~~ Nathan's stone to cover
the whole area remains, but can it be considered as
being in respect of the land claims or only in
respect of the cultivated land within the boundaries?

In any further communication
please quote No.

OFFICE OF THE COMMISSIONER
FOR LANDS & SURVEYS

_____ 19 _____

I have to acknowledge the receipt of your
letter No. _____ dated _____

The matter is receiving attention and a further
communication will be sent to you before _____

Your obedient servant,

COMMISSIONER FOR LANDS & SURVEYS

DEPARTMENT OF LAND SETTLEMENT
HEADQUARTERS
GOVERNMENT OF PALESTINE.

1 MAY 1940

File *Dul/32* Regd. *✓*
GOVERNMENT OF PALESTINE

27

Telephone No.

In reply please quote:

No. *T/2/2*

LAND SETTLEMENT OFFICER,
TULKARM SETTLEMENT AREA.

P. O. BOX 12

CONFIDENTIAL

26th April, 1940

Your D/Tul/32 of 22.4.1940

Dear Bennett:

On my field inspection of Wadi Hawarith (Arab) lands, I came across Hashem who was preparing a plan of the area, and found out from him that it concerned an application for correction of area of dar Samara Kushan and partition and transfer of a part thereof. I immediately examined the Samara registration and found, rather to my surprise, that the whole of the area was registered in their names. As the purchasers of part of the land were going to claim ownership at settlement, I decided to give them a little time to finish the Land Registration transaction so that they could present their new Kushans at settlement. I did this not with any idea of throwing on the Land Registry the responsibility of carrying out registration, but solely in accordance with the wishes of Jardine who, for the A/Commissioner for Lands and Surveys, had desired Settlement Officers wherever possible to grant facilities for parties at Land Settlement to complete transactions in the Land Registry and pay the prescribed transfer fees.

It never struck me that any question could be raised, either by the Director of Land Registration or by the Settlement Officer, that the sandy area had not been registered or intended to be registered in the Samara Kushans.

I had examined the whole of the area in question minutely. The southern and eastern boundaries of the Samara Kushans do not affect your question—they are the Iskanderuna and the Basset. The sandy area is in the North, adjoining the Arab 'Infeiyat lands of the Haifa Sub-District. It does not extend to the Sea, which is the western boundary of the registration, but the lands adjoining the Sea are cultivable.

You are interested in the question as to whether there is any means of excluding the sand-dunes from the registration. I do not see how it can be done. There would have been two ways of issuing the title deed which would have provided proof that it was not the intention to grant the dunes. (1) The northern boundary could have been described as "Sand hills extending to Arab 'Infeiyat" (2) A note could have been put in the registers to the effect that all the cultivable lands only are included in the deed, thus defining what cultivable lands were intended to be granted. Neither of these was done. However much one may dislike it, there is no other interpretation to be placed on the deed than that all the lands within the boundaries stated are registered. Without prejudice to the results of my public investigation of this area, I can say now that, unless any new evidence is brought to light, I could not give any other decision; and, if I could, it would almost certainly be reversed on appeal.

Article 47 of the Land Code is strictly applicable, because of the definiteness of the boundaries. The sand-dunes themselves are cut by pockets of cultivable and cultivated land (which have not been surveyed separately) and it is conceivable that that fact was known when the registration was granted. It is also conceivable that at the date of registration far less of the

/land was

land was covered by sand than is the case today. I have had cases where parties claimed sandy land as included in their Kushans, and, when I decided that they weren't included and either gave them to Government or to the people on payment of badl mithl, my decisions were upset (almost automatically) on appeal. The very terms of Article 47 were ignored. In some cases, areas of 300 dunnams would be claimed on a registered area of 2 dunnams, with 3 boundaries "Khareb" in the registration, but that did not change the determination of the Land Court to alienate them from Government. I do not say things are like that now-in fact, I know they are much better, but I cannot conceive of any way by which any Court can adopt the plea that sandy land within registered boundaries must be excluded from the registration if the registration itself does not either exclude them or give some ground of support for the argument that the intention was to exclude them. Your plan I in D/Tul/32 adopts the boundaries of the registration without question.

It does not matter one way or the other, for the purposes of settlement, whether the transaction is completed in the Land Registry or not before Schedules of Rights are published. I intend shortly to record claims and publish those blocks; and I should like to repeat that the application for the transaction was only referred to the Land Registrar for completion before settlement because of the wishes of the department and because I have made 1 rule not to accept renunciations at settlement except in extreme cases. I understand that Samara is bound by a contract for sale.

I return the files herewith-D/Tul/32, 2 covers and 1 cover with plans.

Yours sincerely

M. T.

26

GOVERNMENT OF PALESTINE.

DEPARTMENT OF LAND SETTLEMENT

HEADQUARTERS-JERUSALEM

Telephone No. 33.

LAND SETTLEMENT OFFICER,

TULKARM SETTLEMENT AREA.

P. O. BOX 12.

In reply please quote:

24 APR 1940

No. T/69/21

File D/Tul/32 Regd. H

GOVERNMENT OF PALESTINE

24th April,

1940

Director of Land Settlement,
Jerusalem.

crossed 25
the area is in free zone
hds
Subject:- Settlement of Wadi al Hawarith
(Arab) lands-Land Registry Petition
No. 11 of 1940.

Reference:- Your D/Tul/32 of 21.4.40

The answer to the first part of your letter
is in the negative.

2. I note that all the lands of Bassah Sheikh
Muhammad the boundaries of which have been checked
and found correct by you, and for which Government
claims have already been received, are excluded
from the proposed registration.

3. The Land Registry file is returned herewith.

Enc. 1 File.

Min
SETTLEMENT OFFICER,
TULKARM SETTLEMENT AREA.

JAO/SD.

B.F. 3/4
for reply 5-25
MC

LAND SETTLEMENT OFFICE

23, TULSA SETTLEMENT AREA

RECORDS

1911, 1912, 1913, 1914, 1915

CONFIDENTIAL.

22nd April, 1940.

Dear *St. Martin*,*LCI*
Replied

I wrote to you officially yesterday under my letter No.D/Tul/32 dated 21st April, 1940, in regard to the application of the Samara family for the correction of the area of the land registered in their name from 250 dunums to 5000 odd and asked you to investigate the matter.

My first reaction was that the case should await Land Settlement operations and I am still of that opinion, particularly as the lands are included in an area which is already under 'settlement'. I was informed however by Hashem, the Surveyor who prepared the plans, that you were already aware of the case and desired that correction should be proceeded with by the Land Registry rather than that you should have to deal with it.

The applicants are in a great hurry and this always raises my suspicions.

I enclose my file D/Tul/32 (two jackets) and D/Tul/32 (Plans) for your perusal as certain correspondence appears to refer to part of the land claimed and would particularly draw your attention to folios 28a, 54 and 61 in the first jacket.

I hold the view that it was really never intended that the person registered as the owner of small areas within boundaries which include a very much larger area should have rights over other than the cultivable land within the boundaries and this only if he maintained cultivation. I am certain the alienation by the State of

LIST OF CLAIMANTS FOR COMPENSATION
ARISING OUT OF THE 1936 DISTURBANCES.

District :

Sub-District :

Town or Village

GPP. 4270-5000-11-9-37

[illegible]

the ownership of sand dunes and land of the nature of Mawat was not the intention.

It is only since the Occupation and the advent of the Jews that these areas have become valuable and that claims have been submitted to obtain ownership in view of Section 47 of the Ottoman Land Code, ~~but~~ I consider, however, that every endeavour should be made, though how I do not know, to maintain Government's ownership in order that the State may exploit such lands rather than private individuals.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'J.A. O'Connor', written in a cursive style.

J.A. O'Connor Esq.

D/Tul/32

DEPARTMENT OF LAND SETTLEMENT,
JERUSALEM.

21st April 1940. 24

URGENT.

Settlement Officer,
Tulkarm Settlement Area.

Subject:- Settlement of Wadi el Hawarith
(Arab) lands - Land Registry
Petition No.11 of 1940.

Reference: Attached copy of letter R.523/65-
3771 of 19.4.1940 from the D.L.R.
addressed to me.

I forward herewith Tulkarm (Natanya)
Land Registry File No.11 of 1940 for investiga-
tion and shall be obliged if you will let me
know whether any Government lands are involved
other than Nahr Iskanderun Reservation, the
Foreshore and the Minat Abu Zabura Port Grounds.

2. The common boundaries with Basset
esh Sheikh Muhammad as in Sheet No.2 of Plan
105/40 (serial No.7/40/T) have been checked
with the original field sheets of the official
survey executed in 1928 and found correct.

3. The Land Registry file should be
returned to me with your reply.

MAB
DIRECTOR OF LAND SETTLEMENT.

Copy to GP/5/62.
P.

NCA

23

SETTLEMENT,

X XXXXXXX

D/Tul/32

21st April 1940.

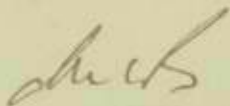
Director of Land Registration.

Subject:- Mahmud bin Haj 'Abdallah
Samara and Others.

Reference: Your letter R.523/65-5771
of 19th April 1940.

The land in question is under Land
Settlement and the matter is being referred
to the Settlement Officer for investigation.

2. Tulkarm (Natanya) Land Registry File
No.11 of 1940 is also being forwarded to the
Settlement Officer and will be returned to
you in due course.



DIRECTOR OF LAND SETTLEMENT.

Copy to Settlement Officer,
Tulkarm Settlement Area.

P. File 62/5/62.

h.c.t.

הנני לאשר קבלת בקשתך בקשר עם הביטחון הפנימי. העניין מקבל תשובה לך.
2. להבא נא להודיע את המספר הנמצא במנה המבטאית העליונה של טופס זה.

R. F. JARDINE.

Arable land.

Land Registry
Petition 11/1940.

1. This area consists of three sections
- (a) Barset ash thick hummocks
 - (b) lands cultivated by Samara
 - (c) Sandy waste claimed by Samara.

2. (a) is registered in name of Gork and is recorded as DTal 132.

An official survey was executed in 1928 by Gork, lawyer or Komonick and the present preliminary block plans follow the boundaries of the 1928 demarcation and survey which was based on the old Turkish plan prepared by an Engineer Cantor - See Plan I in Plan folder of DTal 132 -

In outline the 1928 survey follows the Cantor plan although it differs from it in small details. But the 1928 survey gives a larger area.

3. (b) & (c) are claimed by Samara under registrations

N: 41 Tishin Ahal 1324 Dimes and } Folio 29 b
N: 67 Kan Ahal 1325 ~ } in DTal 132
105/40 folder.

The boundaries given in the above registrations are definite and can be identified on the ground. Actually they correspond to the boundaries of the area claimed by the Samaras.

As the Samara's registration is for 2500 Dimes only described as "Tarla", the question arises whether

- (a) they are entitled to the cultivable land within the registered boundaries only or
- (b) whether they are entitled under the same registration to the 5000 odd dimes of sand dunes within these boundaries too.

4. As regards the Berra I have already accepted the boundaries as in the preliminary block plans which correspond to the boundaries of Plan 105/40

OFFICE OF THE COMMISSIONER
FOR LANDS & SURVEYS

19 _____

In any further communication
please quote No.

Subject :- _____

I have to acknowledge the receipt of your letter No. _____

dated _____

The matter is receiving attention and a further communication will

be sent to you before _____

Your obedient servant,

COMMISSIONER FOR LANDS & SURVEYS

(Serie No 7/40/1) and these correspond to the boundaries surveyed by Komornick in 1928, as checked by me and by Mr. Hess with the original field sheets.

On 3/4/1940 I lodged with the S.O. the following claims in respect of the Bansa - DTal/32:-

Claim	Block	P.P.N.	Area
4	8394	1-46, 48-52	468.096 d. approx.
6	8395	1-13, 15-37 & 42	553.878. "
5	8396	1-35, 37-40 } 42-44 & 46 }	844.089. "
Total.			1866.063

5. As regards the areas claimed by Samara there is no doubt that the culturable land is included within their representation, but the S.O. should, after examining the claims and documents to be submitted by Samara, be able to intimate whether Govt. has a prima facie claim to the sand dunes or not, and under the new procedure the S.O. should signify whether a claim should be made by Govt. & in that event whether a Govt. representative will be required in case he decides to hear a case.

6. I suggest that the letter of the D.L.R. (B. 19) as has been by file 11/1940 be forwarded to the S.O. for investigation and report whether any Govt. lands are involved. ~~It is~~ The reply to D.L.R. will then depend on the finding of the S.O.

h.c.a.

20/4/40.

Note:- The ~~original~~ ^{representations} of the representatives.
The original representations and subsequent transfers are shown in the attached extract.

h.c.a.

In any further communication
please quote No.

OFFICE OF THE COMMISSIONER
FOR LANDS & SURVEYS

_____ 19 _____

Subject :- _____

I have to acknowledge the receipt of your letter No. _____

dated _____

The matter is receiving attention and a further communication will
be sent to you before _____

Your obedient servant,

COMMISSIONER FOR LANDS & SURVEYS

ردیف	تاریخ	شرح	مبلغ	تاریخ	شرح	مبلغ	تاریخ	شرح	مبلغ
۱	۱۳۰۲	...	...	۱۳۰۲	...	...	۱۳۰۲	...	...
۲	۱۳۰۳	...	...	۱۳۰۳	...	...	۱۳۰۳	...	...
۳	۱۳۰۴	...	...	۱۳۰۴	...	...	۱۳۰۴	...	...
۴	۱۳۰۵	...	...	۱۳۰۵	...	...	۱۳۰۵	...	...
۵	۱۳۰۶	...	...	۱۳۰۶	...	...	۱۳۰۶	...	...
۶	۱۳۰۷	...	...	۱۳۰۷	...	...	۱۳۰۷	...	...
۷	۱۳۰۸	...	...	۱۳۰۸	...	...	۱۳۰۸	...	...
۸	۱۳۰۹	...	...	۱۳۰۹	...	...	۱۳۰۹	...	...
۹	۱۳۱۰	...	...	۱۳۱۰	...	...	۱۳۱۰	...	...
۱۰	۱۳۱۱	...	...	۱۳۱۱	...	...	۱۳۱۱	...	...
۱۱	۱۳۱۲	...	...	۱۳۱۲	...	...	۱۳۱۲	...	...
۱۲	۱۳۱۳	...	...	۱۳۱۳	...	...	۱۳۱۳	...	...
۱۳	۱۳۱۴	...	...	۱۳۱۴	...	...	۱۳۱۴	...	...
۱۴	۱۳۱۵	...	...	۱۳۱۵	...	...	۱۳۱۵	...	...
۱۵	۱۳۱۶	...	...	۱۳۱۶	...	...	۱۳۱۶	...	...
۱۶	۱۳۱۷	...	...	۱۳۱۷	...	...	۱۳۱۷	...	...
۱۷	۱۳۱۸	...	...	۱۳۱۸	...	...	۱۳۱۸	...	...
۱۸	۱۳۱۹	...	...	۱۳۱۹	...	...	۱۳۱۹	...	...
۱۹	۱۳۲۰	...	...	۱۳۲۰	...	...	۱۳۲۰	...	...
۲۰	۱۳۲۱	...	...	۱۳۲۱	...	...	۱۳۲۱	...	...
۲۱	۱۳۲۲	...	...	۱۳۲۲	...	...	۱۳۲۲	...	...
۲۲	۱۳۲۳	...	...	۱۳۲۳	...	...	۱۳۲۳	...	...
۲۳	۱۳۲۴	...	...	۱۳۲۴	...	...	۱۳۲۴	...	...
۲۴	۱۳۲۵	...	...	۱۳۲۵	...	...	۱۳۲۵	...	...
۲۵	۱۳۲۶	...	...	۱۳۲۶	...	...	۱۳۲۶	...	...
۲۶	۱۳۲۷	...	...	۱۳۲۷	...	...	۱۳۲۷	...	...
۲۷	۱۳۲۸	...	...	۱۳۲۸	...	...	۱۳۲۸	...	...
۲۸	۱۳۲۹	...	...	۱۳۲۹	...	...	۱۳۲۹	...	...
۲۹	۱۳۳۰	...	...	۱۳۳۰	...	...	۱۳۳۰	...	...
۳۰	۱۳۳۱	...	...	۱۳۳۱	...	...	۱۳۳۱	...	...
۳۱	۱۳۳۲	...	...	۱۳۳۲	...	...	۱۳۳۲	...	...
۳۲	۱۳۳۳	...	...	۱۳۳۳	...	...	۱۳۳۳	...	...
۳۳	۱۳۳۴	...	...	۱۳۳۴	...	...	۱۳۳۴	...	...
۳۴	۱۳۳۵	...	...	۱۳۳۵	...	...	۱۳۳۵	...	...
۳۵	۱۳۳۶	...	...	۱۳۳۶	...	...	۱۳۳۶	...	...
۳۶	۱۳۳۷	...	...	۱۳۳۷	...	...	۱۳۳۷	...	...
۳۷	۱۳۳۸	...	...	۱۳۳۸	...	...	۱۳۳۸	...	...
۳۸	۱۳۳۹	...	...	۱۳۳۹	...	...	۱۳۳۹	...	...
۳۹	۱۳۴۰	...	...	۱۳۴۰	...	...	۱۳۴۰	...	...
۴۰	۱۳۴۱	...	...	۱۳۴۱	...	...	۱۳۴۱	...	...
۴۱	۱۳۴۲	...	...	۱۳۴۲	...	...	۱۳۴۲	...	...
۴۲	۱۳۴۳	...	...	۱۳۴۳	...	...	۱۳۴۳	...	...
۴۳	۱۳۴۴	...	...	۱۳۴۴	...	...	۱۳۴۴	...	...
۴۴	۱۳۴۵	...	...	۱۳۴۵	...	...	۱۳۴۵	...	...
۴۵	۱۳۴۶	...	...	۱۳۴۶	...	...	۱۳۴۶	...	...
۴۶	۱۳۴۷	...	...	۱۳۴۷	...	...	۱۳۴۷	...	...
۴۷	۱۳۴۸	...	...	۱۳۴۸	...	...	۱۳۴۸	...	...
۴۸	۱۳۴۹	...	...	۱۳۴۹	...	...	۱۳۴۹	...	...
۴۹	۱۳۵۰	...	...	۱۳۵۰	...	...	۱۳۵۰	...	...
۵۰	۱۳۵۱	...	...	۱۳۵۱	...	...	۱۳۵۱	...	...
۵۱	۱۳۵۲	...	...	۱۳۵۲	...	...	۱۳۵۲	...	...
۵۲	۱۳۵۳	...	...	۱۳۵۳	...	...	۱۳۵۳	...	...
۵۳	۱۳۵۴	...	...	۱۳۵۴	...	...	۱۳۵۴	...	...
۵۴	۱۳۵۵	...	...	۱۳۵۵	...	...	۱۳۵۵	...	...
۵۵	۱۳۵۶	...	...	۱۳۵۶	...	...	۱۳۵۶	...	...
۵۶	۱۳۵۷	...	...	۱۳۵۷	...	...	۱۳۵۷	...	...
۵۷	۱۳۵۸	...	...	۱۳۵۸	...	...	۱۳۵۸	...	...
۵۸	۱۳۵۹	...	...	۱۳۵۹	...	...	۱۳۵۹	...	...
۵۹	۱۳۶۰	...	...	۱۳۶۰	...	...	۱۳۶۰	...	...
۶۰	۱۳۶۱	...	...	۱۳۶۱	...	...	۱۳۶۱	...	...
۶۱	۱۳۶۲	...	...	۱۳۶۲	...	...	۱۳۶۲	...	...
۶۲	۱۳۶۳	...	...	۱۳۶۳	...	...	۱۳۶۳	...	...
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۹۷	۱۳۹۸	...	...	۱۳۹۸	...	...	۱۳۹۸	...	...
۹۸	۱۳۹۹	...	...	۱۳۹۹	...	...	۱۳۹۹	...	...
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No 41 of Tishri 1324 Dairi

Wadi el Hawarik Muzra'ati

And Wadi el Hawarik el Gharbi etc Muzra'ati.

Tarla - Amirya -

250 Duns - (old).

4/5 shares { Ibrahim Haj Aballa Samas
Muhammad Ali v
~~Ali~~
Muhammad v
Aref v

Court judgment 390 of Haziran 330

In accordance with Court judgment 22 of 330

Court judgment 28 of Shais 330

Attached 47/32

No 67 Kanun I 1325 Dairi

1/5 share in name of above mentioned
persons.

by transfer from Salim ben Israel Hame Mufkas
in accordance with ~~434~~ 434 d/13 Shawal 326
~~in name of Muhammad ben Haj Yasin~~

Attached 47/32.

In any further communication
please quote No.

OFFICE OF THE COMMISSIONER
FOR LANDS & SURVEYS

19

Subject :-

I have to acknowledge the receipt of your letter No.

dated

The matter is receiving attention and a further communication will
be sent to you before

Your obedient servant,

COMMISSIONER FOR LANDS & SURVEYS

Civil Can 66/32 District Court Nabha

Yehoshua's Khankin
versus

Aref Abdalla Samara & Others.

Decided 29/5/1933

Delivered to Attorney for Plaintiff at Dacca on 13/6/1933.

COMMISSIONER FOR LANDS & SURVEYS

Your obedient servant,

I have to acknowledge the receipt of your letter No. _____
dated _____
The matter is receiving attention and a further communication will
be sent to you before _____

Subject :- _____

OFFICE OF THE COMMISSIONER
FOR LANDS & SURVEYS
19 _____

In any further communication
please quote No.

R.523/65- 3771

19
DIRECTOR OF LAND REGISTRATION
P.O.B.190,
JERUSALEM.

19th April, 1940

Director of Land Settlement.

W. Nasr
20.4.40
W. Nasr
Replied 28
Subject :- Mahmud bin Haj Abdallah
Samara and others.

Reference:- Attached Tulkarm (Natanya) file
No.11/40.

An application for correction of area is submitted by the Samara Family of Tulkarm in respect of lands known as Wadi El Hawareth Gharbi Shamali.

2. The registered area is 250 old dunums and the area claimed is 5315.326 standard dunums.

3. Before dealing with the transaction I shall be grateful if you will inform me :-

- a) Whether Government has any claim to the lands referred to in the plan submitted by applicant.
- b) Whether you are prepared to sign the said plan as Government Land (Basset Sheikh Muhamad) forms one of the boundaries of the said land.

for
[Signature]
DIRECTOR OF LAND REGISTRATION.

BF/E.



Mr. Alhamud
This area being now under Land Settlement
it is hereby passed to you for action pl.

20/4

GEN 5,

ON HIS MAJESTY'S SERVICE.

GPP. 192-000,000-11-1-36-21-8.

PALESTINE GOVERNMENT ECONOMY.	<u>FASTEN</u>	Envelope by gumming this Label across Flap.
	<u>OPEN</u>	By Cutting Label instead of tearing Envelope.

D/Tut/32

18

A/D.

Ref. folio 84.

Northern Section.

The D.G., Samaria Dist. in his letter No.78 of 30.11.39 states that this land comprising 1500 dunums is recorded under category 16 and therefore no r.p. tax was payable.

From the last para of folio 81 it is observed that this land comprises registration blocks 8394, 8395, and 8396 and the area has therefore increased to 2043 duns 592 sq. m. due to the settlement survey; but this area might be reduced as it has not yet been settled.

This area of 2043 duns 592 sq.m. will be classified in the Suppl. Roll for 1940-41 under the following categories:-

<u>Category No.</u>	<u>Area.</u>
13	1980.583 sq. m.
16(a)	38.394 "
16(b)	24.615 "

and the tax payable will amount to LP.15.845 mils.

Southern Section.

The area of 247 duns 201 sq. m. forming the Southern Section will be classified in the Suppl. Roll for 1940-41 under the following categories:-

<u>Categ.No.</u>	<u>Area.</u>
12	241.131 sq. m.
16(a)	6.070 "

and the tax payable as from 1940-41 will amount to LP.2.894 mils.

?
IN.
11.1.40.

Original in 10/50)

R. F. JARDINE.

2. انظر الى الرقم المرجعي في الزاوية اليمنى من هذا الخطاب.
3. انظر الى الرقم المرجعي في الزاوية اليسرى من هذا الخطاب.

في الزاوية

4. انظر الى الرقم المرجعي في الزاوية اليمنى من هذا الخطاب.

بموجب هذا الخطاب.

The receipt of your application regarding compensation is hereby acknowledged.
The matter is receiving attention.
2. In any further communication you should quote the reference number which you see at the top left-hand corner of this letter.

To.

OFFICE OF THE
COMMISSIONER FOR LANDS AND SURVEYS,
P. O. Box 1184,
JERUSALEM.

Claim No.
رقم الطلب
1000 1184

1
0
0
0
0
0
0.5

0.630

0.505

0.025

30th Nov. 1939.

A/Com. of Lands & Surveys.

Subject:- Kurdiyat lands occupied by Arab
el Hawarith, South.

Reference: Your SD/5(1) of 25.9.39.

The Assistant District Commissioner, Tulkarm,
reports as follows:-

"2 leases will be necessary. One for Arab Wadi
el Hawarith North and the other for the Southern section
of the tribe.

The Northern section has some 1500 dunum~~s~~ of
Government land. 300 dunums are quite unproductive.
Of the remaining 1200 dunums, 100 dunums are cultivated
with vegetables and 400 with general crops. The Agric.
Inspector assumes that 1/3 of the area is put down to wheat,
1/3 Barley and 1/3 to dura and that crops are only produced
in 3 out of every five years. Working on this assumption
the average yearly return is about LP.242 which at 5%
is LP.12 odd p.a.

I would add that this land is entered in my
Registers as category 16 on which no rent is normally
payable. Category 13 is the lowest category on which
rent is payable at 8 mils per dunum. This rent for
1200 dunums the cultivable area works out at LP.9.600.
As the land has been improved by drainage etc. I think
that LP.12 p.a. is not an unduly high rent to ask.

The area inhabited by the Southern section of the
tribe is 247.5 dunums; it is assumed that each dunum
produces 200 mils p.a. = LP.49 of which 5% would give
about LP.2.500 p.a. which I think is reasonable."

2. I understand that it may be difficult to persuade
the tribes to sign any leases but the rents suggested
appear to be so reasonable that there should be no
difficulty in collection. I recommend that the rents
should be as above.

Sgd. R. Church (?)

A/DISTRICT COMMISSIONER
SAMARIA DISTRICT.

A.D.

I think we should insist on agreements being signed
otherwise difficulties are bound to arise in enforcing
collection of rent no matter how reasonable such rent may be.
Besides, it is the regular procedure.

original in SD/5/1

T.N. 3/1

R. F. JARDINE.

2. ان كان لا بد من ان يكون هناك امر من قبله في كل حال
 3. ان كان لا بد من ان يكون هناك امر من قبله في كل حال

في التبرير

4. ان كان لا بد من ان يكون هناك امر من قبله في كل حال

5. ان كان لا بد من ان يكون هناك امر من قبله في كل حال

see at the top left-hand corner of this letter.

2. In any further communication you should quote the reference number which you

The matter is receiving attention.

The receipt of your application regarding compensation is hereby acknowledged.

To.

OFFICE OF THE
 COMMISSIONER FOR LANDS AND SURVEYS,
 P. O. Box 1184,
 JERUSALEM.

Claim No.
 رقم المطالبة
 1000 1184

Wadi el Hawarith State Domain.

D/Tul/30 and D/Tul/31 are now in EinHahoreshe and Giv'at Haiyim Block 8377 and 8376 and 8375 in which Settlement is completed.

The following is the position in regard to these Domains before and at settlement.

(a)(1) D/Tul/30	- Basset esh Sheikh	Plan 44	219.958	Std Dunum
	Saleh	In 1st jacket	41.942	
			13.655	
			1.017	
			2.520	
			0.367	
			279.459	
(11) D/Tul/31	- Basset Daliya	Plan Folio 13	233.655	
			31.364	
			265.029	
Total in accordance with old plans - copies attached.			544.488	

(b) The following was found to be the correct area in accordance with the most recent survey before settlement.

(1) Plan serial.	No. TS.151-36	Plot No.1.	400.001	Std. Dun.
(11) " "	No. Sur. H.Q. 49/36 L/453/36	Plot No.2	132.665	
			532.666	Std. Dun.

(c) At Land Settlement I have claimed as follows.

Claim No.	Block	P.P.N.	Area.	
102	8375	1-5, 15 } 17 & 18	190.675	Giv'at Haiyim GP/5/58
103	8376	26, 32 } & 33	49.644	" " GP/5/58
104	8377	22 & 23	159.680	Ein Ha-Horeshe GP/5/59
(1) Total Plot No.1			399.999	D.
(11) 105	8377	24 & 30	134.614	D Ein Ha -Horeshe GP/5/59.
Plot No.2.				
Total claimed.			534.613	

Plot No.1 was claimed subject to exchange with the Kurdiyat in Ma'aborot, Block 8361 PPN.16, 17 and 18 (Claim No.101) 247½ D. (Exclusive the scheduled road) and P.P.N.11 of block 8360 (Claim No.100) 8½ Dunums containing the spring. See GP/5/54

The exchange was confirmed in case No.2/Wadi el Hawarith 399.999 Dunums were registered in the name of K.K.L. and 247½ Dunums approx. (Kurdiyat) were registered in name of Government and a small area round the spring which was not considered by the Settlement Officer as part of the exchange.

P.70

The position now therefore is as follows.

Registered in name of Government

<u>Block</u>	<u>P.P.N.</u>	<u>Area.</u>	<u>Village</u>	<u>Remarks.</u>
8377	24 & 30	134.614	Ein Hahoreshe	Residue of D/Tul/31 after transfer of part of it together with D/Tul/30 to J.N.F. in exchange with Kurdiyat.
8361	16, 17 & 18	247.500	Ma'abaroth	Received from the J.N.F. in lieu of plot No.1 (see 2 (c) (i)) in lieu of D/Tul/31 and part of D/Tul/30.
8360	Part of P.P.N. 11	?	Ma'abaroth	Small site containing well awarded by S.O. as being outside J.N.F. registration.

In addition to these there is D/Tul/32 Basset esh Sheikh Muhammed - which is in Wadi Hawarith Arab lands, Blocks 8394, 8395 and 8396 which have not yet been settled and for which no claim have as yet been lodged.

<u>Block</u>	<u>P.P.no.</u>	<u>Std.Dms.</u>
8394	1-52	510.815
8395	1-43	677.081
8396	1-40	855.696
	<u>Std.Dms</u>	<u>2043.592</u>

There seems to be some confusion as to the land which was used by the Tulkarn Kadoorie School for hay growing which is in Basset Esh Sheikh Saleh and not Basset esh Sheikh Muhammed I do not know who is now in occupation of P.P.N. 8377/24 & 30

Please see 1:10000 sketch Plan of Settlements in Wadi el Hawarith in File GP/5/62

D/Tul/32

9th October 1938.

Chairman,
Central Housing Commission.

Subject:- State Domain D/Tul/32.

Reference: My letter D/Tul/32
of 10.9.38 and your No.
36/3/8 dated 8.10.1938.

I should be obliged if my above quoted letter may be cancelled as this property is now occupied by the Landless Arabs of Wadi Hawarith. This State Domain is known as Basset Sheikh Muhammad and was once allotted to the Department of Agriculture and Forests under the Director of Lands' letter D/Tul/32 of 25.10.27 for use in connection with the Arab Agricultural School at Tulkara (Director of Agriculture's letter No. AG.212/35 of 17.10.25 refers).

2. This property was declared a Forest Reserve under No.191 in Official Gazette 216 of 1.8.23 and this was cancelled in Palestine Gazette No.452 of 12.7.34 when the land was handed over to the Development Officer for "Landless Arabs".



7A/COMMISSIONER FOR LANDS
AND SURVEYS.

Copy to District Officer,
Tulkara.

Director of Agriculture & Fisheries.



14

GOVERNMENT OF PALESTINE

IN REPLY PLEASE QUOTE
No. 36/3/8.

CENTRAL HOUSING COMMISSION.
PUBLIC WORKS DEPARTMENT.
JERUSALEM.



8th October, 1938.

Commissioner for
Land & Surveys.

REPLIED 15

Subject : State Domain D/Tul/32.

Reference : Your D/Tul/32 of 10.9.38. 11

The Director of Agriculture and
~~Forests~~ ^{Fisheries} informs me that the lands in question
were exchanged between Government and the
Jewish National Fund and that they are no more
controlled by his Department.

I shall be glad to have your con-
firmation that your above is cancelled.

C. Lowen

for CHAIRMAN
CENTRAL HOUSING COMMISSION.

L7.

GOVERNMENT OF PAKISTAN

GENERAL HOUSES COMMISSION
PUBLIC WORKS DEPARTMENT
ISLAMABAD

IN REPLY TO PARLIAMENTARY QUESTION
NO. 100

1974-75
PART A (GENERAL)

Q. 100. (a) How many houses were completed in 1974-75?
(b) How many houses were under construction in 1974-75?

Ans. (a) 1,000 houses were completed in 1974-75.
(b) 2,000 houses were under construction in 1974-75.
The Government are aware of the housing problem in the country and are taking steps to meet the demand for housing. The housing programme for 1974-75 is being implemented in accordance with the plan.

Q. 101. (a) How many houses were completed in 1973-74?
(b) How many houses were under construction in 1973-74?

Ans. (a) 1,000 houses were completed in 1973-74.
(b) 2,000 houses were under construction in 1973-74.

Q. 102. (a) How many houses were completed in 1972-73?
(b) How many houses were under construction in 1972-73?

Ans. (a) 1,000 houses were completed in 1972-73.
(b) 2,000 houses were under construction in 1972-73.

AG/15/14.



4th October
25th September, 1938.

Subject :- State Domain D/Tul/32 -
Pasture land, Wadi el Huwareth.

Reference :- Your 36/3/8 of 14.9.38.

Chairman,
Central Housing Commission,
Public Works Department,
Jerusalem.

W. M. Madras
Was the exchange referred to
in the letter to the Commission
completed? I refer
to the correspondence above
11. 10.38

Further to my AG/15/14 dated the 19th instant,
I enclose herewith copy of letter from Principal Redoorie
Agricultural School, Tulkarm relevant to State Domain
No. D/Tul/32.

2. The plan is returned herewith.

(Signed) F. R. MASON.

Ag. DIRECTOR OF AGRICULTURE
AND FISHERIES.

Copy to Commissioner for Lands and Surveys.

A.D.
Letter at 11 ought not to have been sent as the
land is occupied Arabs of Wadi Hawareth
letter at 8 & 9 refer
SD The enclosure to this letter do not refer to
this State Domain (i.e. D/Tul/32), but to
D/Tul/30 & 31, known as Bassat Oraqun or
Bassat Khutkh Salah - Bassat el Balah.
The deeds of exchange were prepared & sent
as the Herem Kayemeth intend to conclude the
transaction through the Settlement Office folio 54
in SD/5(1) refers. This was agreed to as per letter at
57 in SD/5(1) attached 18.10.38

Assistant District Commissioner's
Offices.

Samaria Division, Nablus.

T/80/104

21.1.36.

Director of Agriculture and Forests,
Jerusalem.

Subject:- Basset Qaqun.

Reference:- Your F/8/K/1 of 3.12.35.

I forward herewith a copy of the Chief Secretary's letter No. V/22/33 dated the 27th December, 1935, regarding the proposed exchange of land in the Tulkarm Sub-District between Government and the Jewish National Fund. I also forward a copy of my letter No. T/80/104 addressed to the Jewish National Fund.

2. I shall be grateful if you will arrange for the Cancellation of the order declaring the Basset Qaqun as a Forest Reserve and if you will inform the Principal of the Agricultural School at Tulkarm that the Bassa is to be handed over to the Jewish National Fund after this year's hay crop has been removed.

3. I shall also be grateful if you will inform me in due course what arrangements you propose to make for the removal of the Eucalyptus trees.

(Sgd) N.M. FOOT.

ASSISTANT DISTRICT COMMISSIONER
SAMARIA.

Copy to District Officer, Tulkarm.

16th January, 1936.

T/80/104

Mr. J. Weitz,
The Jewish National Fund,
P.O.Box 283, Jerusalem.

Sir,

I refer to our correspondence and conversations regarding a proposed exchange of land in the Tulkarm Sub-District.

2. I am now authorised to state that Government agrees to grant 400 dunams of Government land in the Basset Qaqun to the Jewish National Fund in exchange for 250 dunams of land owned by the Jewish National Fund in the neighbourhood of the Wadi Hawareth.
(the area of 250 dunams in the neighbourhood of Wadi Hawareth has already been demarcated by a Government surveyor and a surveyor of the Jewish National Fund on the ground and the area of 400 dunams in the Basset Qaqun will shortly be similarly demarcated.)

3. This exchange of land has been agreed upon the following conditions:-

- (i) That the 250 dunams in the neighbourhood of the Wadi Hawareth should be registered in the name of Government.
- (ii) That the 400 dunams in the Basset Qaqun should be registered in the name of the Jewish National Fund.
- (iii) That these registration transactions should not involve the Jewish National Fund in any expense (i.e. survey or registration fees).
- (iv) That Government should carry out whatever drainage in the area of 250 dunams is necessary under the antimalarial legislation in force from time to time.
- (v) That the Jewish National Fund should carry out whatever drainage in the area of 400 dunams is necessary under the antimalarial legislation in force from time to time.
- (vi) That Government should be permitted to remove the Eucalyptus trees now growing on the Basset Qaqun.
- (vii) That the Jewish National Fund should not take over the Basset Qaqun until this year's hay crop has been removed from the land.

4. I shall be grateful if you will confirm that these proposals and conditions are acceptable to the Jewish National Fund.

(Sgd) H.M. FOOT.

ASSISTANT DISTRICT COMMISSIONER,
SAMARIA

Copy to: District Commissioner Northern District, Haifa.
" " District Officer, Tulkarm.

V/22/33.

27th December, 1935.

District Commissioner,
Northern District.

Subject:- Wadi Hawareth Arabs.

Reference:- Your No.1077 of 9.12.35.

I am directed to inform you that the schemes for the resettlement of the Southern Section of the Wadi Hawareth tribe which is set out in the note by the Assistant District Commissioner, Samaria Division, enclosed in your letter, is approved subject to the following modifications:-

- (a) The land on which the tribesmen will be resettled should be registered in the name of Government and a long lease of it granted to the tribesmen.
- (b) Government should not be pledged to undertake any antimalarial work beyond that which is necessary under the Antimalarial Ordinance in force from time to time.

2. Approval is on the following conditions:-

- (1) That you are satisfied that Government is not surrendering in land greater value than is received under the exchange contemplated.
- (11) That the 107 families in question have already acquired by purchase and by lease sufficient land provide for their maintenance.

3. It is, as you will understand, agreed that the rent of the demised area should be one-fifth of the gross yield.

(Sgd) MAX NUROCK
for CHIEF SECRETARY.

Copy to Development Officer.

Ref. No. *D/Tul/32*

12
DEPARTMENT OF LANDS & SURVEYS,
JERUSALEM.

30.9.38

District Officer,

Tulkarm

Subject:- State Domain *D/Tul/32*

Reference:-

I enclose herewith a revised
History Sheet in respect of the above
mentioned property which has now been
registered in the name of His Excellency
the High Commissioner in trust for the
Government of Palestine.

Kindly amend your records
accordingly.

Maurice A. Ben-El-Mechaie

h A/COMMISSIONER FOR LANDS
AND SURVEYS.

Copy to: Registrar of Lands.

Tulkarm

/MS.

STANDARD
OFFICE OF THE
DIRECTOR OF THE
BUREAU OF LANDS

Subject: State Domain

Reference:

I enclose herewith a report
history of the land in respect of the above
mentioned property which has been
registered in the name of the
the State Domain in order for the
Government of Palestine.

Yours very truly

Respectfully

STANDARD
OFFICE OF THE
DIRECTOR OF THE
BUREAU OF LANDS

Copy to: Registrar of Lands

STANDARD
OFFICE OF THE
DIRECTOR OF THE
BUREAU OF LANDS

DEPARTMENT OF LANDS & SURVEYS, JERUSALEM.GOVERNMENT PROPERTY PARCEL HISTORY SHEET.

1. Sub-District Tulkarm 3. ~~GK~~ / () D/Tul/32
2. Town or Village Wadi el Hawarith 4. Map Reference No.
5. Name of Property _____ Parcel No. _____ Block No. _____
6. Situation Ard Basset Sheikh Mohd.
7. Description Plain land.
8. Category of Land Miri.
9. Value _____
10. Land Registry Deed 345/38 Vol 1 Fol 22 Date 27.7.38
11. Area 919 Metric Dunums 300 sq. metres
12. ~~Situation~~:- Boundaries:-
13. ~~Remarks~~:- North : Dabbel Al Altar and ~~Tuons~~ er Ramel (Sand Dunes) leading to Birkat Ata.
- South : Land of Tayan and the road leading to minet Abou Zaboura.
- East : Land of Tayan and the road.
- West : Land of the Jew sold to Sheikh Ibrahim el Samara and brothers.

Shares:- In whole

Remarks:- Registration carried out by virtue of the Provisions of article 60 of the Treaty of Lausanne as applied in Palestine by the Treaty of Peace (Turkey) Ordinance (cap. 14) and by virtue of the provisions of the Ottoman Law of the 28th Kanun Awwal 1331 (10 Kanun Tani 1916) dealing with the registration of immovable property in the name of the Government and applied to Palestine by notice under article 46 of the Palestine Order in council published in the Gazette of 7th April, 1938.

*Certificate of Registration submitted to S.O.
Miri claim*

Ref. No. D/Tul/32. ✓

DEPARTMENT OF LANDS & SURVEYS
11 MILLER ROAD
JERUSALEM.

10th September, 1938.

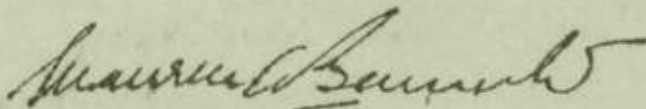
Chairman
Central Housing Commission.

Subject:- State Domain No.D/Tul/32

The above has been under your control for the use of...the Agricultural Department...as Pasturage land...for some considerable time and, it appears, prior to the introduction of the present regulations for the allotment of State Domain.

2. There is nothing in my records to show that this property has been officially allotted to you and in accordance with General Regulation 337(xi) the property is hereby allotted.

3. Copy of the history sheet and the plan in respect of this property ^{are} attached herewith for your retention.



/COMMISSIONER FOR LANDS
AND SURVEYS.

/RA

Copy to: District Officer,
Tulkarm.
" " Director of Agriculture
and Fisheries.

} together with copy
of enclosures.

THE SECRETARY OF THE
TREASURY
WASHINGTON, D.C.

INTERNAL SECURITY - COMMUNISM

The above are your own confidential
sources of information.
For your
considerable time and effort, please inform us
the latest status of the persons mentioned
for the purpose of these reports.
2. There is nothing in the records to show
that this person was ever in the United States
and is now in the United States.
3. The person is now listed
as a person of interest and is being
in contact with this person in the United States.
For your attention.

[Signature]
DIRECTOR, FBI
WASHINGTON, D.C.

CONFIDENTIAL
STANDARD
FBI
JAN 1953

GOVERNMENT OF PALESTINE

IN REPLY PLEASE QUOTE

No. 225



DISTRICT OFFICES,
TULKARM.

7.7.38

Development Officer,
Jerusalem.

Subject:-Bassat Sheikh Mohd. Term of
Settlement.

Reference :-Your D/152 of 2.7.38.

I regret that I am not yet in a position
to reply.

(Sgd.) G. G. Greenwood

GG/BM.

ASST. DISTRICT COMMISSIONER
I/C TULKARM SUB DISTRICT.

Copy to:-Commissioner for L. & S
A.D.C., Nablus.

9

C O P Y.

RT/5(7)

Lead
10th June 1938.

Chief Secretary.

Subject:- Rural Property Tax on land
settled by "Landless Arabs".

Reference: Your P/114/34 of 10th March,
1938.

I have discussed the matter with the Development Officer and I attach a list showing the lands, excluding Mugeibila and Beit Qad, taken over by him for the settlement of "Landless Arabs" showing the rural property tax assessed on each property.

2. It appears that of the Beisan lands which extend to about 11,555 dunums, about 870 dunums of the Tel esh Shok lands are at present occupied by "Landless Arabs" and that the rest of the area is officially unoccupied. The "Landless Arabs" entered into no agreements but pay a rent (in kind) which, I am informed by the Development Officer, is inclusive of tax.

The "unoccupied" part of the area is open to applications for cultivation of a winter crop and the following sums have been obtained and credited to "Reimbursements" - Settlement of Landless Arabs".

1935-36 - LP.131.850 mils.

1936-37 - LP. 51.500 mils.

1937-38 - LP.169.500 mils.

In view of the arrangement with the "Landless Arabs" and the fact that other parts of the land which are cultivated are occupied for under a year, it seems that no tax can be obtained from the land.

3. Malleha is land owned by the Palestine Jewish Colonisation Association which is being taken over in exchange for certain Government land under an arrangement made by the previous Development Officer. The question of the payment of rural property tax does not arise, however, as the land is of a non-paying category.

O. Tull/32

./.

4. Qalansuwa is unoccupied and consequently no rural property tax can be collected.

5. You authorized me to transfer 400 dunums of the Bassat Qa'gun to the Jewish National Fund, under your letter No.V/22/33 dated 14th March 1936, copy attached for easy reference, in exchange for the land known as Kordiyat in the Wadi Hawarith. The Arabs who occupy the Kordiyat appear to do so without any agreement of any kind nor, so far as I can ascertain, do they pay any tax.

6. Bassat Sheikh Muhammad (D/Tul/32), which is also occupied by Arabs from Wadi Hawarith, being of Category 16, is not liable to pay rural property tax. Your letter No.V/127/33 dated 30th June 1935, copy attached, refers to the rent payable.

7. I shall be obliged if it may be noted that all the above lands are controlled and administered by the Development Officer. Any sums collected by way of rent appear to be credited to "Reimbursements - Settlement of Landless Arabs" and not to "Revenue from State Domains".

Sgd. M.C.Bennett.

for A/COMMISSIONER FOR LANDS
AND SURVEYS.

Copy to Development Officer,
with copies of letters referred
to in paras.5 and 6 above.

B/P

7 CENTS

CROW

STANDARD

7 CENTS

CROW

STANDARD

7 CENTS

CROW

STANDARD

7 CENTS

CROW

D/152 - 884



6th June, 1938.

ASST. DISTRICT COMMISSIONER
Tulkarm.

Subject: Bassat Sheikh Mohammad,
Terms of settlement.

This land was drained and ploughed by this Department in 1935 and thereafter a scheme of division among the tribesmen of Wadi Hawarith North was carried out by the tribe itself which was, I presume, confirmed by the Administration. My impression is that the late Development Officer, having carried out his part of the work of settlement, finishing with the settlement of the Arabs, ceased to be responsible for these lands and charged the Administration with arrangements regarding payment of rent etc.

2. The Commissioner of Lands and Surveys is of the opinion that these lands are under my control. I maintain, however, that in this connection my position viz a viz the Administration is that of adviser on cultivation matters etc.

3. Will you kindly inform me whether any rent is obtained from the Arabs or indeed, whether any rent is asked from them, and I propose when we meet to discuss the Kordiyat lands, that we also arrive at an understanding regarding the Bassat Sheikh Mohammad.

I know from personal knowledge that Hilmi Hussein

2.

was concerned in this whole matter and I enclose
_____ copy of a personal letter I have written him.

Samuel D. Shepherd

DEVELOPMENT OFFICER.

Copy to Com. of Lands. ✓

D/ 152 - 882

WLB

6th June, 1938.

Dear Hilmi Bey,

I am quite in the dark as to the final arrangements you made with our friends the Wadi Hawarith Arabs in Bassat Sheikh Mohammad.

I know they divided the lands and that you had a lot of trouble over disputes as to fairness of division. I understand that the area is now amicably divided.

But what proof is there of these transactions? Is each man's area registered, and is it leased by him from Government or is the whole area leased en bloc by the tribe? Do the tribesmen think the land has been given them?

I feel that nothing has ever been done in this aspect of the business and that the Arabs simply occupy without any arrangement and pay neither rent nor tax. This, if it be the situation, must be remedied and while I do not think it is my business to put it right, I propose to collaborate with the District Administration in an effort to do so.

Before I start, will you tell me from your personal knowledge what has been done and what the Administration and the late Mr. Andrews proposed to do when the Arabs were finally settled. I shall be much obliged.

Yours sincerely,

Hilmi Bey Hussein,
District Officer,
Saffad.

D/Tul/32

*Ask to be the land
who again had to come back
after quarter of a century to
occupation of this land with
the 11.6.38 date*

2nd June 1938.

Asst. District Commissioner,
Samaria.

Subject:- Basset Sheikh Muhammad -
Wadi Hawarith Arabs (North).

Reference: Your 16/69 of 23.2.38.

I shall be grateful for an
early reply to my letter D/Tul/32 of 3rd
April 1938 with regard to the occupation
of this land by the Wadi Hawarith Arabs
and the rent paid by them.

hds

A/COMMISSIONER FOR LANDS
AND SURVEYS.

B/P

*Mr. Tulkas telephoned to me and
stated that the land was occupied without
any agreement or arrangement or any
payment of rent or rural property tax.
He suggested that the Development Officer
should take the matter up with the DDC
Tulkas. Any arrangements were not
put down or working but were made verbally*

*Letter from Basset
of 2.7.*

hds

36/38

Shirley

Shirley

Shirley

D/Tul/32

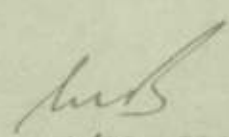
4th May, 1938.

Assistant District Commissioner,
Samarra.

Subject:- Basset Sheikh Muhammad -
Wadi Hawareth Arabs (North).

Reference: Your 16/69 of 23.2.38. ✓

An early reply to my letter D/Tul/32 of
3.4.38, on the subject of the occupation and rent
of this land, will be appreciated.


A/COMMISSIONER FOR LANDS
AND SURVEYS.

/AB

D/Tul/32

3rd April 1938.

Assistant District Commissioner,
Samaria.

REMINDED

6,7

Subject:- Basset Sheikh Muhammad -
Wadi Hawareth Arabs (North).

Reference: Your 16/69 of 23.2.38.

I enclose a copy of my letter No.
D/Tul/32 dated 15th March 1938 to the Development
Officer in regard to this land.

2. In reply (his D/152/505 of 31.3.38) the
Development Officer states that the Basset Sheikh
Muhammad is not under any control by his Depart-
ment, and that this ceased when the land was sub-
divided under the auspices of the District
Administration in 1934, following drainage and
deep ploughing. He presumes the Arabs were in
possession of the land in the autumn of 1934,
when the division was made.

3. The Development Officer confirms that
the Arabs of Wadi Hawareth North are in occupa-
tion of the whole of the State Domain shown on
the plan dated 1928.

4. I am informed that the position in regard
to rent is that the Chief Secretary under his
letter V/127/33 of 30th June 1935, copy of which
is attached, approved a rent based on one fifth
of the estimated gross yield which was fixed at
LP 3 for the year 1935.

5. I shall be obliged if you will inform me
if you agree that the Development Officer is not
supposed to be in charge of this land, as it was
handed over to him and has never been handed back
again.

6. If this Department is deemed to be in charge
through the District authorities under General
Regulation 333, I shall be grateful if you will
inform me:

(a) under what terms the Arabs are
in occupation.

1

1221

020

3:0

Re



- (b) If under a written Agreement, please forward a copy.
- (c) What steps are taken to assess the rent annually.
- (d) What have been the amounts payable since occupation and what has been paid.
- (e) To what head of revenue have the sums collected been credited.
- (f) Whether Rural Property Tax, in addition to the rent, is collected and, if not, why not.

7. The Development Officer considers that it is desirable that the well be sunk in the area indicated and I am inclined to agree but it is not clear from your above quoted letter who is proposing to construct the water supply.

Harold Bennett

COMMISSIONER FOR LANDS
AND SURVEYS.

B/P

3rd April 1938.

Assistant District Commissioner,
Samarra.

Subject:- Basset Sheikh Muhammad -
Wadi Hawareth Arabs (North).

Reference: Your 16/69 of 23.2.38.

I enclose a copy of my letter No.
D/Tul/32 dated 15th March 1938 to the Development
Officer in regard to this land.

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Development Officer states that the Basset Sheikh
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divided under the auspices of the District
Administration in 1934, following drainage and
deep ploughing. He presumes the Arabs were in
possession of the land in the autumn of 1934,
when the division was made.

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tion of the whole of the State Domain shown on
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letter V/127/33 of 30th June 1935, copy of which
is attached, approved a rent based on one fifth
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LE 3 for the year 1935.

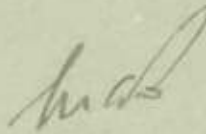
5. I shall be obliged if you will inform me
if you agree that the Development Officer is not
supposed to be in charge of this land, as it was
handed over to him and has never been handed back
again.

6. If this Department is deemed to be in charge
through the District authorities under General
Regulation 333, I shall be grateful if you will
inform me:

- (a) under what terms the Arabs are
in occupation.

- (b) If under a written Agreement, please forward a copy.
- (c) What steps are taken to assess the rent annually.
- (d) What have been the amounts payable since occupation and what has been paid.
- (e) To what head of revenue have the sums collected been credited.
- (f) Whether Rural Property Tax, in addition to the rent, is collected and, if not, why not.

7. The Development Officer considers that it is desirable that the well be sunk in the area indicated and I am inclined to agree but it is not clear from your above quoted letter who is proposing to construct the water supply.



7 COMMISSIONER FOR LANDS
AND SURVEYS.

B/P

Government of Palestine

All communications to be addressed to:-
Development Officers.

In your reply please quote

D/152/ - 505

Telephone No. 1022.

Department of Development,
P. O. B. 649,

Jerusalem,
Palestine.

REFERRED TO



31st March, 1938.

COMMISSIONER FOR LANDS AND SURVEYS.

Subject: Basset Sheikh Muhammad - Wadi
Hawarith Arabs (North).

Reference: Your D/Tul/32 of 15.3.38.

The Basset Sheikh Mohammad is not, I understand, now under any control by this Department. Control ceased when the land was sub-divided under the auspices of the District Administration in 1934, following drainage and deep ploughing done by the Department of Development. It is to be presumed the Arabs were in possession of the land in 1934 autumn, when the division was made.

2. It is desirable that the well be sunk in the area indicated.

3. The whole of the area '1928 State Domain' is occupied by the Arabs of Wadi Hawarith North.

4. Your para. 5. I attach copy of letter V/127/33 dated 30th June, 1935, from Chief Secretary (copy to _____ Director of Land Registration, for information), and copy of letter to Asst. District Commissioner, Samaria, from _____ Development Officer which explains the ^{whole} position re rent.

5. Re your para. 7. I forward letter No. DC/152/34-222 of 27.4.35 to Chief Secretary from the late Development Officer to which the Chief Secretary's letter of 30th June 1935, was a reply.

I am unable to gather from this whether in addition

*Mr Hamam
Have any of the
land been reported
what? 1.4.38
No
3
See 1.4.38*

2.

to the rent which is collected, £ 3 for the whole area,
the occupiers should pay Rural Property Tax. I am
unaware of any agreement between the Arabs and the
Government and can see no mention of agreement in my
files.


DEVELOPMENT OFFICER.

Copy.

27.4.38.

DC/152/34-222
Confidential.

CHIEF SECRETARY.

Subject: Bassat Sheikh Muhammad - Wadi
Hawarith Arabs (North)

Reference: Your V/127/34 of 1.6.34.

I have the honour to report that drainage of this swamp has been completed at a cost of LP 1673.379; deep ploughing is almost complete, and is to cost LP 314. The total expenditure on this scheme is therefore LP 1987.379 mils.

2. The Northern section of the Tribe is now in occupation of the area.
3. At para. 6 of its report dated 2.5.34, the Committee appointed by Government recommended that (i) it would be unfair to charge the cost of drainage to the Arabs in view of the fact that the drainage of the swamp is a health measure benefitting the surrounding villages and settlements; (ii) the Arabs will not obtain sufficient return from plots of 17 dunums each (probably only partially irrigated) to pay anything but a nominal rent.
4. The Rural Property Tax for 1935 on this area is 576 mils.
5. In the circumstances, I would recommend that as Bassat Sheikh Muhammad is a State Domain, the Arabs be charged rent in accordance with Article 37 of the Rural Property Tax, i.e. an amount equal to the amount of the Rural Property Tax which, in this case is 576 mils.
6. The Asst. District Commissioner, Samaria, agrees with the recommendation in the foregoing para. but the Director of Lands Registration to whom the question was referred has commented as follows :-

"The area comprises some 1500 dunums and the rent suggested is one third of a mil per dunum. I would hesitate to agree that drained and partly irrigable land is not worth more than decimal 3 of a mil per dunum.

Government has consistently resisted the claim of the Jewish bodies that State Domain should be leased at less than 5% per annum on its capital value. Section 37 of the Rural Property Tax Ordinance refers to an implied lease and not an arranged lease.

There may be special considerations in this case but will your proposal not create an embarrassing precedent ? "

To the comments on the Director of Lands Registration I would state that I am not discussing the matter of the land or a fair rent for it. It has been understood that the Basset would be leased to the Arabs at a nominal rent and the proposal set out in para. 5 of this letter, appears to me to be the fairest way of giving effect to the intention.

(Sg) L. ANDREWS .

DEVELOPMENT OFFICER.

Copy to Director of Lands Registration.
Asst. District Commissioner, Samaria, Nablus

1870

1871

1872

1873

1874

1875

1876

1877

1878

1879

1880

1881

1882

1883

1884

1885

1886

1887

1888

1889

1890

1891

1892

1893

1894

1895

1896

1897

1898

1899

1900

DC/152/35-402
Confidential.

8th July, 1935.

Asst. District Commissioner,
Samarra Division,
Nablu.

SUB: Basset Sheikh Muhd. Payment of rent
by the Arabs.

REF: Your T/80/3-1427 of 25.4.435 and our
subsequent discussions.

I transmit herewith for necessary action
copy of letter No.W/127/33 of 30.6.35 received
from the Chief Secretary on the subject of rent
payable by the Wadi Hawarith (North)Arabs.

(Sg.) L.ANDREWS ✓

DEVELOPMENT OFFICER.

30.6.35.

DEVELOPMENT OFFICER.

I am directed to refer to your Confidential letter No.DC/152/34 of the 27th April, 1935, on the subject of Basset Sheikh Muhammad, and to inform you that in the opinion of Govt. the actual cost of the drainage of the swamp would not be a suitable basis on which to charge rent and that the only practicable basis which can be adopted for this purpose is the gross yield from cultivation.

Moreover, such a proposal would not establish an undesirable precedent in regard to other lands under your control.

2. It is understood that in your opinion the cultivators are in a position to pay a fixed rent based on one fifth of the estimated gross yield, which you estimate at approximately LP 3 for the current year. It is, however, realized that no rent can in fact be collected during this year as the crops have already been sold.

3. You will no doubt submit further proposals as to the possibility of increasing the fixed rent in future years should the gross yield for crops materially increase.

(Sg.) MAX NUROCK
CHIEF SECRETARY.

Copy to Director of Land Registration for information

D/Tul/32

15th March 1938.

Development Officer.

REPLIED 4

Subject:- Basset Sheikh Muhammad -
Wadi Hawarith Arabs (North).

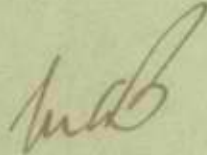
Reference: Your letter No. DC/152/34 of
27.4.35 addressed to the
Chief Secretary.

Basset Sheikh Muhammad, Wadi Hawarith,
Tulkarm Sub-District, is one of those properties
which are under your control.

2. The Assistant District Commissioner, Tulkarm, informs me that it is proposed to sink a well on a part of this land which is claimed by the Samara family. He understands that in the event of work being started the Samara family will institute legal proceedings.
3. This might bring a long outstanding dispute to a head by before replying to the Assistant District Commissioner's question as to whether I am prepared to sustain such an action, I shall be grateful for your observations and to know whether and since when you have been, or your landless Arabs have been, in possession of the State land shown on the attached copy of the 1/5,000 scale Turkish plan, prepared on 29th Mais 1330 (about 1911).
4. I also enclose a copy of a more recent plan showing this State Domain, dated 1928, on which I shall be obliged if you will inform me if your landless Arabs actually occupy the whole of the property or what proportion of it.
5. I shall be grateful if you will inform me what rent is payable in respect of this property and who collects the rent and whether such sum as is collected is credited to "Revenue" from Government Property - State Domains", and, if not, under what Head of Revenue it is included.
6. While I am evidently not expected to see that the rent is collected, I shall be glad to receive a return to show the assessment and the amounts collected in respect of each year since the occupation of this land.

7. I shall also be glad to know whether it is intended that occupiers should pay the Rural Property Tax as it is provided in the Ordinance that all tenants of Government property are liable to pay this tax.

8. If the occupiers of this property hold under any agreement, kindly let me have a copy.



1 COMMISSIONER FOR LANDS
AND SURVEYS.

B/P

GOVERNMENT OF PALESTINE

IN REPLY PLEASE QUOTE
No. 16/69

DISTRICT OFFICES,
TULKARM.



Commissioner for Lands
& Surveys.

REPLIED

5, 6, 7

23.2.38

Mr. Madors
What is the result of the
report on the land
look up the file
28/2/38

Subject:-Water Supply - Bassat Sh.Mohd.

It is proposed to construct a water supply on part of the Government land in the Bassat Sh.Mohd. registered as D/T_u1/32. As the part of this state domain on which it is proposed to site the well is disputed by the Samara family and as in the event of work being started I understand that they will institute legal proceedings, I would be glad to know whether you are prepared to sustain such an action, which would have the advantage of finally settling a long outstanding question.

GG/PM.

ASST.DISTRICT COMMISSIONER
I/C TULKARM SUB DISTRICT.

Copy to:-L.R.T_ulK_arm.

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE

1. The following is a list of the names of the officers who have been appointed to the post of...

2. The following is a list of the names of the officers who have been appointed to the post of...
3. The following is a list of the names of the officers who have been appointed to the post of...
4. The following is a list of the names of the officers who have been appointed to the post of...
5. The following is a list of the names of the officers who have been appointed to the post of...
6. The following is a list of the names of the officers who have been appointed to the post of...
7. The following is a list of the names of the officers who have been appointed to the post of...
8. The following is a list of the names of the officers who have been appointed to the post of...
9. The following is a list of the names of the officers who have been appointed to the post of...
10. The following is a list of the names of the officers who have been appointed to the post of...

[Handwritten signature]

1. The following is a list of the names of the officers who have been appointed to the post of...

The above mentioned property is still registered
in the Turkish records under No 1 of Kadun Annual 328
The registered area is 1000 old Dms.

This property was leased to the following

Sabil Bakhit	1.11.22 to	30.9.23
Lahid Serougi	10.11.23	30.9.24
"	15.10.24	15.10.25
"	14.10.25	15.10.26
El Abd El Saleh El Shibly - others	15.10.26	15.10.27
Suleiman El Wasei - other		

On 25.10.27 The D.O. was informed not to
lease this property - to hand it over to the Dept of
Agriculture. 'B'

This property was claimed by the Samra
family

The matter has been carefully considered
~~and C.S. was informed accordingly as per~~
letter at C & D. The C.S. was informed that
there is no objection to permission being
granted to petitioners to bring an action
against Govt (E)

The land was declared a Forest Reserve No 1
in O.G. 216 of 1.8.28 and this was cancelled
L.P.G. 452 of 12.7.34 when the land was handed
over to the Development Officer.

OFFICE OF THE
COMMISSIONER FOR LANDS
AND SURVEYS,
MAMILLAH ROAD,
P.O.B. 1184,
JERUSALEM.

GP/

Registrar of Lands,

Subject:- Settled State Domain -

Reference: My letter No. _____
of

With reference to paragraph 2 of

my above quoted letter, I should be grateful
if you would reply without further delay.

Maurice B. Smith
COMMISSIONER FOR LANDS
AND SURVEYS.

H/P

